

187009705

#10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: SEIFARTH

In re Application of:	)
WOLFGANG SEIFARTH ET AL.	)
International Appl. No.: PCT/DE00/01071	)
International Filing Date: April 4, 2001	)
For: METHOD FOR THE SPECIFIC DETECTION AND IDENTIFICATION OF RETROVIRAL NUCLEIC ACIDS/RETROVIRUSES IN A SPECIMEN	)

IN RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

Box PCT  
Commissioner for Patents  
Washington, D.C. 20231

W/AT/002 LANDGRA 00000055 10009705

65.00 DP

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on May 23, 2002.  
(Date)

URSULA B. DAY

(Name of Registered Representative)

*Ursula B. Day* May 23, 2002  
Signature Date of Signature

SIR:

In response to the Notification of Missing Requirements, mailed to the undersigned on April 5, 2002, applicant herewith submits a new computer readable disk containing the "Sequence Listing", as required, and a hard copy of the "Sequence Listing". Also enclosed is a statement confirming that the contents of the paper or compact disc and the computer readable form are the same and,

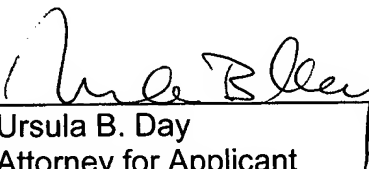
where applicable, include no new matter.

The Notice also sets forth that the oath or declaration by the inventor(s) must be filed together with the applicable surcharge. The undersigned points out that the proper declaration was submitted accompanied by the applicable surcharge on November 28, 2001.

A check in the amount of \$65.00 is enclosed to cover the fee for filing a substitute computer readable form.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.

Respectfully submitted,

By:   
Ursula B. Day  
Attorney for Applicant  
Reg. No: 47,296

Date: May 23, 2002  
350 Fifth Avenue  
Suite 3220  
New York, N.Y. 10118  
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UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/009,705	Wolfgang Seifarth	SEIFARTH

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/DE00/01071

LA. FILING DATE	PRIORITY DATE
04/04/2000	05/08/1999

Henry M. Feiereisen  
 350 Fifth Avenue  
 Suite 3220  
 New York, NY 10118

CONFIRMATION NO. 4008

371 FORMALITIES LETTER



\*OC000000007784681\*

Date Mailed: 04/05/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination

**RECEIVED**  
 APR 12 2002  
 DIPL.-ING. HENRY M. FEIEREISEN

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN**

**ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
  - **APPLICANT MUST PROVIDE:**
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

TAMALA D HOLLAND

Telephone: (703) 305-5483

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/009,705	PCT/DE00/01071	SEIFARTH

Dr. Ulrike Rudolph

Patentanwältin

European Patent & Trademark Attorney

100097010/009705  
RECEIVED PTO 25 MAY 2002  
RECEIVED PTO 28 MAY 2002  
In der Schanz 10

☎ 06203-61348

Fax 06203-64196

### Verification Statement

We confirm that the material on the diskette submitted herewith is identical in substance to the Sequence Listing included in the description of the application entitled "Verfahren zum spezifischen Nachweis und zur Identifizierung retroviraler Nukleinsäuren / Retroviren in einem Untersuchungsgut" based on DE 199 21 419.0-44

Schriesheim, April 3, 2000

*Dr. Ulrike Rudolph*

Dr. Ulrike Rudolph